

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

ERIC L. McGRAW

VS.

CIVIL ACTION NO. 2:05cv107-KS-MTP

JO ANNE BARNHART

ORDER

This cause came before the Court on this date to be heard on proposed Report and Recommendation of United States Magistrate Judge Michael T. Parker entered herein on December 13, 2006, after referral of hearing by this Court, no objections having been filed as to the proposed Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter and being fully advised in the premises, finds that the proposed Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the proposed Report and Recommendation be, and the same is, adopted as the finding of this Court and the Commissioner's Motion to Dismiss for Failure to Prosecute [16] is **denied**.

IT IS FURTHER ORDERED that the Plaintiff is given thirty (30) days from the entry of this Order to file his dispositive motion and memorandum.

SO ORDERED this the 10th day of January, 2007.

s/ *Keith Starrett*
UNITED STATES DISTRICT JUDGE